

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

MICHAEL L. CHASSE,)	
)	
Plaintiff)	
)	
v.)	Civil No. 99-0119-B
)	
DAVID CLEWLEY, et al.,)	
)	
Defendants)	

RECOMMENDED DECISION

Defendant Alfred B. Cichon moves for dismissal of Plaintiff's Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) for Plaintiff's failure to state a claim upon which relief may be granted. Plaintiff has not responded to the Motion to Dismiss. In this District, a failure to respond within the time period provided by the local rules is construed to waive objection to a motion. D. Me. R. 7(b). Accordingly, the Motion to Dismiss is appropriately granted for Plaintiff's failure to object.

Conclusion

I hereby recommend Defendant Cichon's Motion to Dismiss be GRANTED.

NOTICE

A party may file objections to those specified portions of a magistrate judge's report or proposed findings or recommended decisions entered pursuant to 28 U.S.C. § 636(b)(1)(B) (1988) for which *de novo*

review by the district court is sought, together with a supporting memorandum, within ten (10) days of being served with a copy thereof. A responsive memorandum shall be filed within ten (10) days after the filing of the objection.

Failure to file a timely objection shall constitute a waiver of the right to *de novo* review by the district court and to appeal the district court's order.

Eugene W. Beaulieu
United States Magistrate Judge

Dated on: January 12, 2000